

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA,

v.

3:03-cr-0341

CLARENCE L ARTIS, JR.,

Defendant.  
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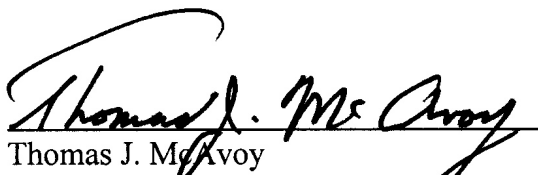
THOMAS J. McAVOY  
Senior United States District Judge

**DECISION and ORDER**

This matter was remanded to this Court for consideration of re-sentencing in light of United States v. Booker, 125 S. Ct. 738 (2005) and United States v. Crosby, 397 F.3d 103 (2d Cir. 2005). Upon consideration of all relevant factors, including the government's submissions, Defendant's submissions, and the sentencing factors set forth at 18 U.S.C. § 3553(a), the Court finds that re-sentencing is not warranted, and that a sentence of 41 months on each of Counts One and Two, to run concurrently, is and remains appropriate and reasonable.

IT IS SO ORDERED.

Dated: August 15, 2006

  
Thomas J. McAvoy  
Senior, U.S. District Judge